

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

SCOTT MAHER,

Plaintiff,

v.

WISCONSIN DETP. HEALTH &
HUMAN SERVICES,

Defendants.

ORDER

Case No. 18-cv-1061-bbc

Plaintiff Scott Maher has filed a proposed civil action under 42 U.S.C. § 1983, concerning first amendment right to view expressive art at Sand Ridge Secure Treatment Center, where plaintiff is in custody pursuant to Wis. Stat. ch. 980. Plaintiff has filed a motion for leave to proceed without prepayment of the filing fee.

As proof of indigence, plaintiff has filed a certified copy of a six-month resident account statement so that the court can calculate what amount of money, if any, plaintiff would have to prepay toward the filing fee. After considering the motion and supporting documentation, the court concludes that plaintiff qualifies for indigent status.

Using information for the relevant time period from plaintiff's resident account statement, I calculate plaintiff's initial partial filing fee to be \$85.12. For this case to proceed, plaintiff must submit this amount on or before January 14, 2019.

ORDER

IT IS ORDERED that:

1. The motion filed by plaintiff Scott Maher for leave to proceed without prepayment of the filing fee is GRANTED. Plaintiff is assessed \$85.12 as an initial partial payment of the \$350.00 fee for filing this case as an indigent litigant. Plaintiff shall submit a check or money order made payable to the "Clerk of Court" in the amount of \$85.12 on or before January 14, 2019. If plaintiff fails to comply as directed or show cause of failure to do so, the court will assume that plaintiff does not wish to proceed and this case will be dismissed without prejudice to plaintiff filing the case at a later date.

2. No further action will be taken in this case until the clerk's office receives plaintiff's initial partial filing fee as directed above and the court has screened the complaint as required by 28 U.S.C. § 1915(e)(2). Once the screening process is complete, a separate order will issue.

Entered this 21st day of December, 2018.

BY THE COURT:

/s/

PETER OPPENEER
Magistrate Judge